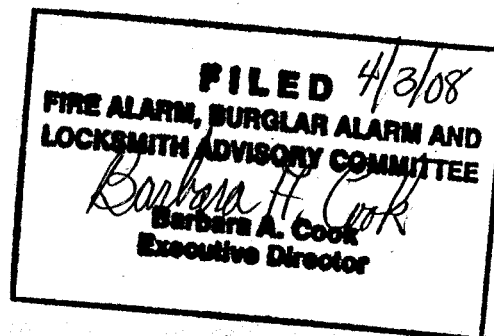


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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BURGLAR ALARM, FIRE ALARM AND LOCKSMITH  
ADVISORY COMMITTEE

IN THE MATTER OF THE  
SUSPENSION OR REVOCATION  
OF THE LICENSE OF

ROBERT E. CARPENTER

AS A LOCKSMITH  
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Fire Alarm, Burglar Alarm and Locksmith Advisory Committee ("Committee") upon receipt of an application for locksmith licensure from Robert E. Carpenter ("respondent"). Subsequent to the receipt of respondent's application, the Committee was provided with a criminal history summary pertaining to respondent's criminal history. The summary indicated respondent was arrested on August 10, 2003 and charged with Obtaining/Selling Controlled Dangerous Substance in Public in violation of N.J.S.A. 2C:33-2.1. The summary also indicated that a disposition regarding the charge was not available. As a result, the Committee sent respondent a Demand for Statement in Writing Under Oath in order to obtain additional information concerning the arrest and disposition of the charge.

In response to the Demand for Statement Under Oath, respondent indicated he pled guilty

to the charge. He acknowledged it was his intention to purchase drugs. Respondent was forthright in his response and acknowledged he was addicted to drugs at the time of the offense. Respondent also acknowledged he entered a drug rehabilitation program during October 2002 but was unsuccessful in remaining drug free. He entered again in September 2003 but was also unsuccessful. He re-entered a drug rehabilitation program in October 2003 and has been drug free since that time. Respondent is currently providing random drug screens as part of a program.

Subsequent to receipt and consideration of respondent's response to the demand for statement under oath, respondent appeared at two investigative inquiries into the matter held by the Committee. According to respondent's testimony, he again admitted he intended to purchase drugs when he was arrested on August 10, 2003. Respondent stated he developed a drug problem in 2000, but has been drug free since October 2003. Respondent is currently enrolled in a voluntary drug treatment clinic at the Suburban Treatment Associates of Union, NJ. Respondent provides regular random urine screens through Suburban Treatment Associates. He has been providing urine screens for close to three years. Finally, respondent stated his current employer is aware of his drug history and is provided with respondent's drug screen results

Having considered the testimony of respondent, the Committee has determined that respondent may continue to be licensed subject to the conditions outlined in this order. Respondent appears to be doing well in recovery at this time. However, the Board is keenly aware of respondent's history of relapse and therefore any deviation from the terms of this order will result in immediate suspension of license. The Board finds that such a provision, coupled with respondent's continued involvement and compliance with Suburban Treatment Associates, is adequate to protect the health, safety and welfare of the public, and that good cause exists for entry of this order.

IT IS THEREFORE ON THIS                      DAY OF                      , 2008

HEREBY ORDERED AND AGREED THAT:

Respondent's license as a locksmith in the State of New Jersey is subject to the conditions herein:

1. Respondent shall abstain from any and all intoxicating substances, including but not limited to alcohol, as well as any controlled dangerous substances except pursuant to a bona fide prescription written by a physician or dentist for good medical or dental cause in his own treatment. In addition, respondent shall advise any and all treating physicians and/or dentists of his history of substance abuse. Respondent shall cause any physician or dentist who prescribes medication which is a controlled dangerous substance to provide a written report to the Committee together with patient records indicating the need for such medication. Such report shall be provided to the Committee no later than two (2) days subsequent to the prescription in order to avoid confusion which may be caused by a confirmed positive urine test as a result of such medication.
2. Respondent shall continue in treatment with Suburban Treatment Associates and follow their recommendations for treatment until further order of the Committee. Respondent is responsible to ensure that Suburban Treatment Associates or any successor, shall provide the results of the urine screens to the Committee on a quarterly basis, and forward immediate (within twenty-four hours of receipt) results of any positive urine. For purposes of this order, however, the first submitted quarterly results shall be due no later than March 31, 2008 for urine screen results taken for the months of January, February and March of 2008. The second submitted quarterly report shall be due no later than June 30, 2008 for the months of April, May and June 2008 and subsequent reports shall be submitted quarterly thereafter.
3. Respondent shall follow the recommendations for treatment and counseling of Suburban Treatment Associates, including but not limited to, attending support groups, including

NA or AA as directed by Suburban Treatment Associates, and shall submit to urine monitoring to be coordinated with Suburban Treatment Associates subject to the conditions for urine monitoring set forth in paragraph 4 below. Respondent shall provide evidence of attendance at NA/AA groups directly to the Committee on a quarterly basis. For purposes of this order, however, the first submitted quarterly proofs shall be due no later than March 31, 2008 for all NA/AA attendance for the months of January, February and March of 2008. If respondent discontinues participation with Suburban Treatment Associates or attendance at any support group, without first obtaining approval of the Committee and Suburban Treatment Associates, he shall be deemed in violation of this Order.

4. (a) Respondent shall submit to random urine screens a minimum of twice per month. The urine screen monitoring program, as well as the laboratory facility conducting the urine testing, must be approved by the Committee. The Committee shall provide respondent and the Suburban Treatment Program with specific directions for the protocol of the testing procedure. All urine screens must be directly observed and respondent shall comply with all additional urine screen procedures and protocols outlined and prescribed by the Committee. The urine screen requirement shall continue until further order of the Committee expressly reducing or discontinuing testing. The initial drug screen shall utilize appropriate screening techniques and all confirming tests and/or secondary tests shall be performed by gas/chromatography/mass spectrometry (G.C./M.S). The testing procedure shall include a forensic chain of custody protocol to ensure sample integrity and to provide documentation in the event of a legal challenge. The Committee may, in its sole discretion, modify the frequency of testing or method of testing during the monitoring period.

(b) All test results shall be provided to Barbara Cook, Executive Director of the

Committee, or her designee in the event she is unavailable. The Committee retains sole discretion to modify the manner and the extent of testing in the event technical developments or individual requirements indicate that a different methodology or approach is required in order to guarantee the accuracy and reliability of the testing.

(c) Any failure by respondent to submit or provide a urine screen within twenty-four (24) hours of a request will be deemed to be equivalent to a confirmed positive urine test. In the event respondent is unable to appear for a scheduled urine test or provide a urine sample due to illness or other impossibility, consent to waive that day's test must be secured from Barbara Cook, or her designee. Personnel at the lab facility shall not be authorized to waive a urine test. In addition, respondent must provide the Committee with written substantiation of his inability to appear for a test within two (2) days, e.g., a physician's report attesting that respondent was so ill that he was unable to provide the urine sample or appear for the test. "Impossibility" as employed in this provision shall mean an obstacle beyond the control of respondent that is so insurmountable or that makes appearance for the test or provision of the urine sample so infeasible that a reasonable person would not withhold consent to waive the test on that day.

(d) In the event respondent will be out of the State for any reason, the Committee shall be so advised so that arrangements may be made at the Committee's discretion for alternate testing.

(e) Any urine test result showing creatinine levels below 20 mg/dL and a specific gravity below 1.003 shall be deemed dilute and a presumption of a confirmed positive urine test shall arise requiring a confirming test by hair analysis or other appropriate means.

(f) Respondent shall familiarize himself with all foods, food additives or other products (such as poppy seeds) which may affect the validity of urine screens, be presumed to possess that knowledge, and shall refrain from the use of such substances. Ingestion of such substances shall not

be an acceptable reason for a positive urine screen and/or failure to comply with the urine monitoring program.

5. Respondent shall provide any and all releases to any and all parties who are participating in the monitoring, treatment or other program as outlined in this order, as may be required, in order that all reports, records, and other pertinent information may be provided to the Committee in a timely manner. Via his signature on this order, respondent agrees that the Committee may utilize any information received in connection with any proceeding regarding licensure.

6. Respondent may seek modification of the terms of this order not sooner than March 31, 2009. Prior to any modification or removal of restrictions set forth in this order, respondent shall:

(a) Appear before the Committee to discuss his recovery and to demonstrate to the satisfaction of the Committee that he is not then suffering from any impairment or limitation resulting from any psychiatric condition or the use of any substance, whether legal or illegal, which could affect his practice;

(b) Prior to his appearance, respondent shall provide the Committee with reports from each and every mental health professional (including but not limited to: psychologists, counselors, therapists, psychiatrists) who have participated in respondent's care and/or treatment during the period of time from his entry into treatment to his appearance and the Committee may require receipt of a report of an independent psychiatric evaluation with a Committee approved psychiatrist.

7. Respondent hereby consents to the entry of an Order of automatic suspension of license without notice, upon the Board's receipt of documentation of a confirmed positive urine, or a prima facie showing of a relapse or recurrence of drug or alcohol abuse or any reliable information

that respondent has violated any term of this order or any information which the Board in its sole discretion deems reliable demonstrating that respondent is not capable of carrying out the functions of a licensee consistent with the public health, safety or welfare or that respondent has failed to comply with any of the conditions set forth in this consent order.

8. Respondent shall have the right to apply for removal of the automatic suspension on five (5) days notice but in such event shall be limited to a showing that the urine tested was not his or was a false positive in the case of urine testing, or that other information submitted was false.

NEW JERSEY FIRE ALARM, BURGLAR ALARM  
AND LOCKSMITH ADVISORY COMMITTEE

By: Robert Shoremount  
Robert Shoremount  
Committee Chairman

I have read and I understand  
this Consent Order and agree  
to be bound by its terms. I  
Consent to the entry of this Order  
by the Board.

Robert Carpenter  
Robert Carpenter

3/18/08  
Date

Authorization for Release of Information

To: Dr. Federico Cerrone

Address: Pulmonary & Allergy Associates, P.A., 1 Springfield Avenue,  
Summit, NJ 07901

Patient's name: Robert E. Carpenter

Address at time of treatment: <sup>432</sup> ~~432~~ <sup>1st Floor</sup> Willow Avenue, Roselle Park, NJ  
07204

Approximate dates of treatment: April 27, 2005 to Present

I hereby authorize you to release copies of my original records to:

The State of New Jersey  
Fire Alarm, Burglar Alarm and Locksmith Advisory Committee  
Department of Law and Public Safety  
124 Halsey St.  
P.O. Box 45042  
Newark, New Jersey 07101

The information to be released is:

Any and all copies of original records maintained by you for my care including, but not limited to, description of presenting complaints and diagnosis, examination and test findings including diagnostic or other tests ordered (including raw data, test results and interpretation), patient health history, treatment provided, progress notes, items and medications prescribed and/or dispensed, laboratory tests and x-rays (if applicable), prognosis, discharge summary and other matters pertinent to the doctor and patient relationship, copies of all bills and reports prepared and/or submitted for professional services rendered by you to me.

3/18/08  
Date

Robert E. Carpenter  
Patient's Name

Robert E. Carpenter  
Patient's Signature

5000 WPS SO PW ID: 58

RECEIVED COMM

Authorization for Release of Information

To: Dr. Lorenzo Martinetti

Address: 139 South Street, New Providence, NJ 07974

Patient's name: Robert E. Carpenter

Address at time of treatment: 432 Willow Avenue, Roselle Park, NJ 07204

Approximate dates of treatment: January 2006 to Present

I hereby authorize you to release copies of my original records to:

The State of New Jersey  
Fire Alarm, Burglar Alarm and Locksmith Advisory Committee  
Department of Law and Public Safety  
124 Halsey St.  
P.O. Box 45042  
Newark, New Jersey 07101

The information to be released is:

Any and all copies of original records maintained by you for my care including, but not limited to, description of presenting complaints and diagnosis, examination and test findings including diagnostic or other tests ordered (including raw data, test results and interpretation), patient health history, treatment provided, progress notes, items and medications prescribed and/or dispensed, laboratory tests and x-rays (if applicable), prognosis, discharge summary and other matters pertinent to the doctor and patient relationship, copies of all bills and reports prepared and/or submitted for professional services rendered by you to me.

3/18/08  
Date

Robert E. Carpenter  
Patient's Name

Robert Carpenter  
Patient's Signature

3000 HX 50 PA 10:58  
RECEIVED